

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2019 JAN -8 PM 3:35

UNITED STATES OF AMERICA

v.

Case No.

JERRY LEE FARISH

3-19CR-009-K

INDICTMENT

The Grand Jury charges:

Introduction

1. Defendant **Jerry Lee Farish** was the chief executive officer of New Summit Homes, a real-estate construction and investment company based in the Northern District of Texas. New Summit Homes raised money and built homes throughout the Northern District of Texas, including in Dallas County and Tarrant County.

2. Starting in or about May 2016 and continuing through in or about August 2017, the defendant, **Jerry Lee Farish**, engaged in a scheme and artifice to defraud and to obtain money or property from multiple investors who made investments into the development of what the investors believed would be a single-family residence located at XXXX Little Bluestem in Westlake, Texas.

3. In furtherance of the scheme and artifice to defraud, **Jerry Lee Farish** took potential investors on tours of homes that New Summit Homes had built in Dallas County and Tarrant County and surrounding areas.

4. In furtherance of the scheme and artifice to defraud, **Jerry Lee Farish** promised each investor that he or she would have a second lien position to a financial

institution and that the investment would be used to build a house on the property, with the investment principal returned along with a sizeable return.

5. In furtherance of the scheme and artifice to defraud, **Jerry Lee Farish** failed to tell subsequent investors that previous investors, in fact, occupied a second lien position.

6. In furtherance of the scheme and artifice to fraud, **Jerry Lee Farish** did not build the property as promised. Instead, **Jerry Lee Farish** misappropriated the investments through the New Summit Homes bank accounts on personal and other business expenses unrelated to the development of XXXX Little Bluestem.

----- NOTHING FURTHER ON THIS PAGE -----

Count One
Wire Fraud
(Violation of 18 U.S.C. § 1343)

7. The grand jury realleges and incorporates by reference the allegations contained in paragraphs 1 through 6 of this Indictment, as if fully set forth herein.

8. On or about June 27, 2017, in the Northern District of Texas, the defendant, **Jerry Lee Farish**, for the purpose of executing the foregoing scheme and artifice to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises from Company C, an entity known to the Grand Jury, did knowingly and with specific intent to defraud caused to be transmitted, by means of wire and radio communication in interstate commerce, certain writings, signs, signals, pictures, and sounds, being a wire transfer of funds, in interstate commerce, in the amount of \$525,000.00, approximately \$350,000.00 of which was an investment into the development of a single-family residence at XXXX Little Bluestem in Westlake, Texas, into a bank account for New Summit Homes, Inc. at JP Morgan Chase.

All in violation of 18 U.S.C. § 1343.

Notice of Forfeiture


(18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c))

Upon conviction of the charged offense, defendant **Jerry Lee Farish** shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the respective offense, whether directly or indirectly, including the total proceeds derived from the offense (commonly referred to as a “money judgment”).

----- **NOTHING FURTHER ON THIS PAGE** -----

Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), if any of the above property subject to forfeiture, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United States of America to seek forfeiture of any other property of the defendant up to the value of the above described property subject to forfeiture.

A TRUE BILL



FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY



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v.

JERRY LEE FARISH

INDICTMENT

18 USC §§ 1343

Wire Fraud

Count 1

18 U.S.C §981 (a)(1)(c) and 28 U.S.C. §2461 (c)

Notice of Forfeiture

1 Count

A true bill rendered

DALLAS


FOREPERSON

Filed in open court this 8th day of January, 2019.

Warrant to be Issued


UNITED STATES MAGISTRATE JUDGE
No Criminal Matter Pending